

Adulteration of the Capsules Phenammo was alleged in the information for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that each capsule was represented to contain 3 grains of acetphenetidin, whereas each of said capsules contained less than 3 grains of acetphenetidin. Adulteration of the Capsules Insulans was alleged for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that each capsule was represented to contain insulin, whereas the article contained in the said capsules was inert.

Misbranding of the Capsules Phenammo was alleged for the reason that the statement "Capsules * * * Represents Acetphenetidine 3 grs.," borne on the label, was false and misleading, since each of said capsules contained less than 3 grains of acetphenetidin. Misbranding of the Capsules Insulans was alleged for the reason that the statements, to wit, "Each Capsule Represents Insulin 1 Unit. Dose: One capsule before meals and at bed time, doubling the amount at the end of a week and continue indefinitely. Blood sugars should show a 35 per cent distinct reduction if the above instructions are followed," borne on the label, were false and misleading, since each of the said capsules did not represent insulin 1 unit, and the said capsules when used as directed did not effect a reduction of 35 per cent in blood sugars, but were inert. Misbranding of the Capsules Phenammo was alleged for the further reason that certain statements, designs, and devices regarding the curative or therapeutic effects of the article falsely and fraudulently represented that it was effective as a treatment for dysmenorrhea and influenza. Misbranding of the Capsules Insulans was alleged for the further reason that certain statements, designs, and devices regarding the curative and therapeutic effects of the article falsely and fraudulently represented that it was effective to reduce blood sugars in the system.

On September 19, 1932, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

HENRY A. WALLACE, *Secretary of Agriculture.*

19893. Misbranding of Eson. U. S. v. 12 Dozen Small Bottles, et al., of Eson. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27744. I. S. No. 12676. S. No. 5819.)

Examination of the drug preparation involved in this case showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton and bottle labels and in a circular shipped with the article. The product also was represented to be an antiseptic and germicide, whereas it was not; and was further represented to contain iodine, whereas it contained no free iodine.

On February 16, 1932, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 12 dozen small bottles and four dozen large bottles of Eson, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about September 20, 1930 (1931), by the Pharmacy Products (Inc.), from Wilmington, Calif., to Portland, Oreg., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of small proportions of phenol and an iodine compound, glycerin, alcohol (3.7 percent), and water, colored with a red dye. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the labeling were false and misleading: (All cartons) "Antiseptic * * * It contains * * * iodine;" (large carton in addition to above) "Eson does more than kill bacteria * * * not only kills bacteria * * *;" (bottle labels) "Eson is an effective antiseptic and germicidal preparation;" (circular entitled "Brings Relief to the Talkies") "This preparation checks the growth of bacteria, which are always present in everybody's mouth, throat, and nose, and which multiply and make trouble the moment natural resistance to them falls below par. * * * kills the bacteria, * * * Eson is a remarkably effective antiseptic and germicidal preparation. * * * an antiseptic and bactericide;" (circular entitled "Secures Peace of Mind") "Its bactericidal ingredients make the cleaned surfaces antiseptic

* * * bactericidal in its action." Misbranding was alleged for the further reason that the following statements appearing in the label, regarding the curative or therapeutic effects of the article, were false and fraudulent: (All cartons) "For inflamed and bleeding gums or sore mouth, use morning and night. * * * Sore Throat, Tonsillitis: Gargle with * * * until relief is felt. * * * Trench Mouth, Pyorrhea: For protection from these serious and prevalent germ-diseases, use Eson regularly as a mouth wash and once a day with the tooth-brush in place of a dentifrice. * * * Hay Fever, Catarrh: * * * Cuts, Abrasions, Burns, * * * Skin Infections: * * * Itching Toes, so-called 'Athlete's Foot': * * * Repeat the treatment until there is no more irritation or soreness. * * * Feminine Hygiene: * * * Very beneficial in the treatment and prevention of leucorrhea. Assures peace of mind;" (large carton in addition to above) "Eson does more than kill bacteria with which it comes in contact. As a treatment for existent infection, Eson not only kills bacteria on the surface, but penetrates into the tissues, activates blood circulation and cell drainage, and so helps to restore a normal, healthful condition more quickly than nature, unaided, can accomplish this result. As a preventive of infection in the mouth, throat, and nose, Eson is valuable for the reason that it cuts away old mucous, which harbors debris and bacteria, and invigorates the tissue cells;" (bottle labels) "Sore Throat, Tonsillitis. Gargle or spray with Eson every 30 to 60 minutes until relief is felt. * * * Rinse the mouth with Eson full strength. * * * For inflamed gums, use morning and night. Catarrh, Hay Fever. Use as nasal douche or spray. * * * Cuts, Abrasions, Burns, * * * Infections. Cleanse affected part. Apply loose gauze dressing saturated with Eson, full strength;" (circular entitled "Brings Relief to the Talkies") "Eson cleanses mucous from the membranes, kills the bacteria, stimulates the tissue cells, and relieves vocal cord fatigue, thereby aiding greatly in keeping the voice clear and resonant, and preventing infection. * * * Sore throat, * * * and many other local disorders of the mucous membranes are caused by toxins produced by bacteria which live and thrive in the mucin which normally covers these membranes. Eson cleanses the membranes of mucin, kills the bacteria, and greatly aids nature in maintaining a normal state of health by stimulating capillary circulation and cell drainage. * * * you will enjoy a freedom from * * * and sore throat that you have never dreamed could be possible! * * * When halitosis comes from infected tissues in the mouth, throat, or nose, these tissues must be freed of the trouble-making bacteria or the cause of physical irritation and resultant inflammation removed; otherwise the disorders tend to become constantly worse, and the final results are frequently of a serious nature. * * * 'Athlete's foot' and Itching Toes Saturate small folds of gauze or pieces of absorbent cotton with full strength Eson and place between the toes. Bandage and leave in place all night. Repeat for several nights until the itching stops and the skin becomes normal;" (circular) "'Secures Peace of Mind' Leucorrhea, Vaginitis, and Cervicitis Their causes and Treatment Physicians declare that nearly every woman suffers from leucorrhea, vaginitis or cervicitis in some degree * * * Leucorrhea Leucorrhea is the result of irritation of the cervix or vagina and the cysts of Naboth in the cervix, induced by similar conditions that give rise to vaginitis. It is often evidenced by a burning discharge. Vaginitis In some cases the only symptoms of vaginitis are a feeling of depression and nervous irritability, and it is not realized that the trouble is in the vagina or cervix. The vagina is made up of rugae, or heavy folds of mucous membranes. Normal secretions from the vaginal cells, and the cysts of Naboth collect in these folds. Unless flushed away bacterial growth takes place with the result that blood circulation and cell drainage become impaired, and the membranes relax, thicken and often become inflamed. That is vaginitis. Cervicitis Cervicitis is a disorder of the cervix, which is the neck of the uterus (womb). It is caused by similar conditions that induce vaginitis, and also by misplacement of the uterus (tipping or bending). Advanced cervicitis can cause sterility, as the cervix, or mouth of the uterus, may become so infected that the opening of the uterus may be sealed or chronically enlarged. This condition also interferes with menstruation. Their Treatment Relief from the irritations of leucorrhea, vaginitis or cervicitis is secured by a dally douche with Eson, as directed, i. e., two tablespoonfuls to a quart of warm water, in most cases. * * * its bactericidal ingredients make the cleaned surfaces antiseptic, and its mildly astringent action stimulates blood circulation and so speeds up drainage of congested tissues. * * *

In cases of vaginitis and cervicitis with leucorrheal discharges, and in bacterial infection of the vulva, Eson should be used daily. To prevent inflammations, and infections of the vagina Eson should be used in the douche two or three times a week. Severe cases of leucorrhea may not respond to the proportion of two tablespoonfuls of Eson to a quart of water. Four, or six, tablespoonfuls may be required. If the latter quantity is not successful, a physician should be consulted."

This department in its recommendation to the United States attorney also recommended that a charge be included in the libel that the article was also adulterated, in that its strength and purity fell below the professed standard and quality under which it was sold: (Cartons) "Antiseptic * * * It contains * * * Iodine," (bottles) "Antiseptic and germicidal preparation."

On July 25, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

19894. Misbranding of Glicolodina. U. S. v. 4 Dozen Small Bottles of Glicolodina. Default decree of condemnation, forfeiture, and destruction. (No. 7834-A. F. & D. No. 28564.)

Examination of the drug product involved in this case disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the bottle and carton labels.

On August 1, 1932, the United States attorney for the District of Puerto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of four dozen small bottles of Glicolodina alleging that the article was in possession of Serra, Garabis & Co. (Inc.), of San Juan, P. R., and was being sold and offered for sale in Puerto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of iodine, potassium iodide, menthol, eucalyptol, thymol, alcohol, and water.

It was alleged in the libel that the article was misbranded in that certain statements regarding the curative or therapeutic effects of the article appearing in Spanish on the label, of which the following is a translation, were false and fraudulent: (Carton label) "For all diseases of the Mouth. * * * Recommended for the Affections of the Mouth;" (bottle label) "For all diseases of the mouth."

On September 21, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

19895. Misbranding of B-M-C Necro-Cide. U. S. v. Two 5-Gallon Cans, et al., of B-M-C Necro-Cide. Default decree of condemnation and destruction. (No. 2526-A. F. & D. No. 28274.)

Examination of the drug product involved in this action disclosed that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it in the representations contained on the can label.

On May 19, 1932, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of two 5-gallon cans and two 3-gallon cans of the said B-M-C Necro-Cide at Mitchell, S. Dak., alleging that the article had been shipped in interstate commerce, in part on or about April 5, 1932, and in part on or about April 6, 1932, by the Baker-Mayes Co., from South Omaha, Nebr., to Mitchell S. Dak., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium bicarbonate, small proportions of ammonium chloride, a sulphate, a thiosulphate, a magnesium compound, phenolic substances including guaiacol and an extract of a laxative plant drug, and water, colored with caramel.